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Letter dated 31 May 2006 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached third report from Ethiopia submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex). I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Ellen Margrethe **Løj**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

Note verbale dated 30 May 2006 from the Permanent Mission of Ethiopia to the United Nations addressed to the Chairman of the Counter-Terrorism Committee

The Permanent Mission of the Federal Democratic Republic of Ethiopia to the United Nations presents its compliments to the Chairman of the Counter-Terrorism Committee and, with reference to the latter's note dated 27 April 2006, has the honour to transmit herewith the third report of the Federal Democratic Republic of Ethiopia on counter-terrorism.

Enclosure

Third report of the Federal Democratic Republic of Ethiopia submitted to the United Nations Counter-Terrorism Committee established pursuant to paragraph 6 of Security Council resolution 1373 (2001)

Introduction

Ethiopia submitted its first report and second supplementary report to the Counter-Terrorism Committee (CTC) in January and October 2002, respectively. Arising out of the second report, CTC posed further questions and elicited further comments from the Government of Ethiopia with regard to the implementation of resolution 1373 (2001). Set out below are the responses from the Government of Ethiopia to the issues requested by CTC.

Implementation

1. Regarding the implementation of subparagraph 1 (b) of resolution 1373 provisions addressing the matter i.e., to specifically address terrorism, have been incorporated in a draft of national legislation. The draft has been finalized and submitted to the Council of Ministers for an approval before final approval by the Ethiopia Parliament.

2. As part of implementing subparagraph 1 (c) of resolution 1373, a draft proclamation on the Prevention and Suppression of Money Laundering and Financing of Terrorism has been prepared and distributed to all concerned government organs for further consideration. In the meantime, the National Bank of Ethiopia has issued a directive to Government and all private banks to have control over the fund movement and report accounts that may have links to terrorist organizations. The Addis Ababa branch of the Commercial Bank of Ethiopia has managed to block account number 01782686900 of Mr. Hersi Alim Osman, Barakat International Companies, which is one of the 46 entities suspected to have attachment to terrorist organizations.

3. In its fight against money-laundering, in addition to the above-stated draft proclamation on Prevention and Suppression of Money Laundering and Financing of Terrorism, Ethiopia has taken a significant measure by providing provisions in the new Penal Code. Article 684 of the new Penal Code clearly states that a natural or legal person that generated proceeds by illegal arm sales, corruption, drug trafficking and concealed the source of the proceeds is punished with rigorous imprisonment ranging from five to fifteen years or with a fine not exceeding 100,000 Ethiopian Birr.

4. As part of implementing subparagraph 2 (d) of resolution 1373, Ethiopia has also taken specific measures by providing provision for preventing the use of its territory to commit offences against third States or their nationals.

5. Article 261 of the new Penal Code states that any natural or legal person that engages in an act of terrorizing any other State is punished with rigorous imprisonment of ten years. In addition, Article 262 of the new Penal Code deals with offences against foreign Heads of States, governments, foreign ministry

delegates or families, or representatives of international organizations, or internationally protected persons either on their person, institution, premises or their vehicles. Offences are punishable with a rigorous imprisonment of ten years. In case death occurs, provisions dealing with offences against life or person will be applicable.

6. In its fight against denying safe haven to terrorists, Ethiopia has conducted investigations regarding regional transnational terrorist threats to westerners and US military officials in the Ogaden region. Ethiopia has been cooperative particularly with the United States on terrorist activities. To counter threats from elements of the Somali-based Al-ittihad al-Islami (AIAI), Ethiopia has also undertaken increased military effort to control its lengthy and porous border with Somalia.

7. Ethiopia has taken a variety of security measures at Bole International Air Port. A new security system that allows the tracking of terrorists and terrorist supporters has been developed and installed. A new more secure passport that is machine-readable and that includes anti-tampering features has also been introduced.

8. In addition, in order to conduct a thorough search and security check of all passengers and air planes, Ethiopian Air Lines, in close cooperation with International Air Transport Association (IATA) has trained its employees in Air Port Safety and Security. Several trainings have also been provided to Ethiopian Air Lines staff on basic aviation security awareness by Ethiopian Air Ports Security.

9. Article 243 of the new Penal Code deals with illegally entering into Ethiopia, providing any assistance in the illegal entry into and illegal exit out of the country by way of providing fake (false) travel documents, identity cards or assisting in any manner to enable the illegal immigrant to stay in the country. Ethiopia has also adopted a new immigration law and has also completed a draft of a new refugee law that will prevent the misuse of asylum by suspected terrorists to gain entry into Ethiopia.

10. As far as implementing subparagraph 3 (d) of resolution 1373 is concerned, Ethiopia has ratified three more conventions.

The ratified conventions are:

- Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons including Diplomatic Agents.
- International Convention Against the Taking of Hostages.
- International Convention for the Suppression of Terrorist Bombings (1977).

Ethiopia is working on the ratification of the remaining international instruments based on identified priorities.

11. Ethiopia has also ratified the OAU Convention on the Prevention and Combating of Terrorism in order to combat terrorism at the continental level. The Government of Ethiopia is also considering to sign and ratify the Protocol to the OAU Convention on Prevention and Combating of Terrorism so as to ensure the effective implementation of the Convention in Africa.

12. As part of its efforts to strengthen the fight against transnational organized crime, Ethiopia has signed the United Nations Convention against Transnational

Organized Crime. Currently, the Government of Ethiopia, through its constitutional procedure, is undertaking the ratification of the Convention and its protocols. Regarding corruption, which is one of the transnational organized crimes, Ethiopia has signed the United Nations Convention against Corruption and the African Convention on Preventing and Combating Corruption.

13. As far as drug trafficking is concerned, Ethiopia is party to the single Convention on Narcotic Drugs of 1961, Convention on Psychotropic Substances of 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. In its fight against transnational organized crime at regional level, Ethiopia has also ratified the Nairobi Protocol for Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa.

14. The new Penal Code contains many offences that constitute an act of terrorism and that are committed in relation to an individual or collective undertaking with the aim of seriously disturbing public order through intimidation or terror.

15. The following are lists of acts which constitute an act of terrorism in the new Penal Code when they are committed with the purpose of seriously disturbing the public order.

- wilful attacks on life, wilful attacks on the physical integrity of persons, abduction and unlawful detention and the hijacking of planes, vessels, or any other means of transport.
- theft, extortion, destruction, and also computer offence.
- the production and keeping of machines, dangerous or explosive devices.
- the production, sale, import or export of explosive substances.
- the purchase, keeping, transport or unlawful carrying of explosive substances or device made with such explosive substances.
- the detention, carrying, and transport of weapons and ammunition.

Apart from playing its part in the international war against terror, Ethiopia seeks to curtail domestic terrorism through the above provisions that are incorporated in the new Penal Code.